

BENBROOK LAW GROUP, PC
BRADLEY A. BENBROOK (SBN 177786)
STEPHEN M. DUVERNAY (SBN 250957)
400 Capitol Mall, Suite 1610
Sacramento, CA 95814
Telephone: (916) 447-4900
Facsimile: (916) 447-4904
brad@benbrooklawgroup.com
steve@benbrooklawgroup.com

HOLTZMAN VOGEL
JOSEFIAK TORCHINSKY PLLC
JASON TORCHINSKY*
45 North Hill Drive, Suite 100
Warrenton, VA 20186
Phone: (540) 341-8808
Facsimile: (540) 341-8809
jtorchinsky@hvjt.law
*Pro hac vice

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

VICTOR GRESHAM and CONQUEST
COMMUNICATIONS GROUP, LLC,

Plaintiffs,

v.

MICHAEL PICKER,
MIKE FLORIO,
CARLA PETERMAN,
LIANE RANDOLPH, and
CATHERINE SANDOVAL,
*in their official capacity as
Commissioners of the
California Public Utilities Commission,*

Defendants.

Case No.: 2:16-CV-01848-JAM-CKD

**STIPULATION AND ORDER
REGARDING AUGUST 5, 2016 ORDER
REQUIRING JOINT STATUS REPORT**

Action Filed: Aug. 4, 2016

1 WHEREAS Plaintiffs filed this action on August 4, 2016 challenging the constitutionality
2 of Cal. Pub. Util. Code §§ 2872, 2874(a), and 2876;

3 WHEREAS on August 5, 2016 the Court issued an order requiring that the parties hold the
4 conference required by Federal Rule of Civil Procedure 26(f) and file a joint status report within
5 60 days of service of the complaint;

6 WHEREAS Plaintiffs served the complaint on August 10, 2016, thus requiring the parties
7 to hold the Rule 26(f) conference and submit a joint status report on or before October 7, 2016;

8 WHEREAS Plaintiffs have filed a motion for preliminary injunction scheduled for hearing
9 on October 4, 2016;

10 WHEREAS the parties agree that good cause exists to postpone the joint status report until
11 after the hearing on Plaintiffs' motion for preliminary injunction.

12 IT IS HEREBY STIPULATED by and between:

13 Plaintiffs Victor Gresham and Conquest Communications Group, LLC, and Defendants
14 Michael Picker, Mike Florio, Carla Peterman, Liane Randolph and Catherine Sandoval in their
15 official capacity as current Commissioners of the California Public Utilities Commission, that
16 good cause exists:

17 1. For the Federal Rule of Civil Procedure 26(f) conference and Joint Status Report
18 ordered by this Court on August 5, 2016 to be postponed until no more than 21 days after the
19 Court issues its ruling on Plaintiffs' motion for preliminary injunction.

20 Dated: September 23, 2016

BENBROOK LAW GROUP, PC

21
22
23 s/ Bradley A. Benbrook
24 BRADLEY A. BENBROOK
25 *Attorneys for Plaintiffs*
26
27
28

Dated: September 23, 2016

CALIFORNIA PUBLIC UTILITIES COMMISSION

s/ Christine J. Hammond

CHRISTINE J. HAMMOND

Attorneys for Defendants

1
2
3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 VICTOR GRESHAM and CONQUEST
7 COMMUNICATIONS GROUP, LLC,

8 Plaintiffs,

9 v.

10 MICHAEL PICKER,
11 MIKE FLORIO,
12 CARLA PETERMAN,
13 LIANE RANDOLPH, and
14 CATHERINE SANDOVAL,
in their official capacity as
Commissioners of the
California Public Utilities Commission,

15 Defendants.

Case No.: 2:16-CV-01848-JAM-CKD

**ORDER REGARDING AUGUST 5, 2016
ORDER REQUIRING JOINT STATUS
REPORT**

Action Filed: Aug. 4, 2016

16 Upon Consideration of the Parties' Stipulation Regarding August 5, 2016 Order Requiring
17 Joint Status Report, and good cause appearing therefore, IT IS HEREBY ORDERED THAT:
18 The Federal Rule of Civil Procedure 26(f) conference and Joint Status Report ordered by this
19 Court on August 5, 2016 shall be postponed until 21 days after the Court issues its ruling on
20 Plaintiffs' motion for preliminary injunction.

21 IT IS SO ORDERED.

22
23 DATED: September 23, 2016

24 /s/ John A. Mendez
25 HONORABLE JOHN A. MENDEZ
26 UNITED STATES DISTRICT COURT
27 JUDGE
28